

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

JEFFREY ZASKODA,

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

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No. 05-241V
Special Master Christian J. Moran

Filed: May 29, 2007

UNPUBLISHED DECISION¹

Ronald C. Homer, Esq., Conway, Homer & Chin-Caplan, P.C., Boston, MA, for Petitioner;
Lisa A. Watts, Esq., U.S. Department of Justice, Washington, D.C., for Respondent.

On May 25, 2007, the parties filed a joint stipulation concerning the injuries received by petitioner, Jeffrey Zaskoda. Mr. Zaskoda filed a petition for compensation on February 22, 2005. In his petition, Mr. Zaskoda alleged that the hepatitis B vaccination, which he received on March 5, 2002, caused him to suffer body arthralgias, fatigue, and malaise, within a week of the vaccination. Mr Zaskoda was later diagnosed with an autoimmune disease. Mr. Zaskoda sought compensation for those injuries.

Respondent denies that Mr. Zaskoda's injuries were caused by the hepatitis B vaccinations. Nevertheless, the parties agree to the joint stipulation, attached hereto as Appendix

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post it on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002).

Vaccine Rule 18(b) states that all decisions of the special masters will be made available to the public unless they contain trade secrets or commercial or financial information that is privileged and confidential, or medical or similar information whose disclosure would clearly be an unwarranted invasion of privacy. When such a decision or designated substantive order is filed, petitioner has 14 days to identify and to move to delete such information before the document's disclosure. If the special master, upon review, agrees that the identified material fits within the banned categories listed above, the special master shall delete such material from public access.

A. The undersigned finds said stipulation reasonable and adopts it as the decision of the Court in awarding damages, on the terms set forth therein.

Damages awarded in that stipulation include:

A lump sum of \$100,000.00 in the form of a check payable to Petitioner. This amount represents compensation for all damages that would be available under 42 U.S.C. § 300aa-15(a).

In the absence of a motion for review filed pursuant to RCFC, Appendix B, the clerk is directed to enter judgment in case 05-241V according to this decision and the attached stipulation.

Any questions may be directed to Shana Z. Siesser at (202) 357-6358.

IT IS SO ORDERED.

S/ Christian J. Moran

Christian J. Moran
Special Master